

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Public Safety Committee was held on Wednesday, March 1, 2017 at the Brown County Sheriff's Office, 2684 Development Drive, Green Bay, Wisconsin.

Present: Chair Buckley, Supervisor Clancy, Supervisor Evans, Supervisor Zima, Supervisor Nicholson
Also Present: Medical Examiner Director of Operations Barry Irmien, Emergency Management Director Jerad Preston, Public Safety Communications Director Cullen Peltier, Sheriff John Gossage, Human Services Director Erik Pritzl, GBPD Officer Barb Gerarden, GBPD Captain Todd Le Pine, Office Manager Holly Malvitz, Director of Administration Chad Weininger, Technology Services Director August Neverman, District Attorney David Lasee, Judge Zuidmulder, news media, other interested parties

**Audio of this meeting is available by contacting the County Board office at 920-448-4015*

I. Call meeting to order.

The meeting was called to order by Chair Buckley at 11:00 am.

II. Approve/Modify Agenda.

Motion made by Supervisor Clancy, seconded by Supervisor Evans to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/Modify Minutes of February 1, 2017.

Motion made by Supervisor Evans, seconded by Supervisor Clancy to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Comments from the Public. None.

1. Review minutes of:

- a. Consideration of Implementing an OWI Treatment Court (January 23, 2017).**

This item was held until the arrival of Judge Zuidmulder; no action taken.

- b. Public Safety Communications Advisory Board (July 27, 2016).**

Motion made by Supervisor Clancy, seconded by Supervisor Evans to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Communications

- 2. Communication from Supervisor Schadewald re: This is my request for the committee to evaluate Montana Meth Project commercials for possible use as public service announcements in Brown County. Held for one month.**

Sheriff Gossage informed he is still waiting for updated information from the State on this.

Motion made by Supervisor Clancy, seconded by Supervisor Evans to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

3. **Communication from Supervisor Buckley re: Have Human Services break out contract with Family Services. Start an RFP process to update the EM-1/Alcohol Hold procedure. Also have staff evaluate to see if it would make fiscal and quality of care sense to bring services back in-house. Referred from February County Board.**

Human Services Director Erik Pritzl recalled that at the last meeting there were four specific areas the Committee wanted to hear more about. The first area was with regard to the current status of the contract with Family Services and what the contract includes and the dollar amount of the contract. The base contract for crisis services is \$855,046 and this has been in place for quite a while. There were funds added for mobile crisis expansion in 2016 to 2017 which brought the total for all crisis services to \$1,055,046. Pritzl feels it is important to note that the County does submit billings to the State of Wisconsin for crisis services. The average submitted to the State over the last five years is \$450,913 and the average received back from the State is \$221,798. Human Services receives logs from the Crisis Center monthly and submits them to the State on a monthly basis.

Supervisor Evans asked how long the contract is. Pritzl responded that it is an annual contract but he does not know when the contract was started. Jeff Vande Leest, CEO of Family Services, was in attendance and spoke to this subject. He said Family Services has been providing crisis services to the County since 1980 which was well before his time. He does not know if there was an RFP at that time. The mobile crisis expansion came in 2016 in the form of an addition to the contract and Pritzl noted that Family Services is the only crisis provider in the County.

Chair Buckley asked where the reimbursement received from the State goes. Pritzl said the majority of the dollars are retained by the County, but the contract says if there are out-of-county residents that receive a service from the Crisis Center, that the County passes it through to them for a non-Brown County resident. The State is billed per client, per unit of service and typically reimburses for about 49% of what is submitted and what is submitted is about 50% of what the cost is, so the County gets about 25% back. The contract covers the full array of services the Crisis Center provides including mobile services, lobby services, acute mental health services, parent/child services, etc. as well as emergency detention services. Pritzl said it would be difficult to say how much of the contract specifically supports the EM1 cases, but that is something they can work on in the future.

At this time the Committee skipped ahead to Item 4 to allow Judge Zuidmulder to speak so he could get back to the Courthouse.

Supervisor Zima asked how the amount the County bills the State is determined. Pritzl said is based on credential level of the provider. There is a set reimbursement rate based on the provider's degree. The County submits full charges but Pritzl said Medicaid reimbursement rates do not make the County whole. The County does submit the losses to the State through another process called WIMCR. All the losses are submitted and the State has a pool of money for all of the counties that gets divided up. Evans asked if Brown County charges other counties for providing services to their residents. Pritzl responded that the County is obligated to provide services to anyone within our boundaries from the first point of contact for 72 hours.

Pritzl continued that he has scheduled a meeting with internal contract and program managers to start looking at the RFP which was part of the original communication to try to arrive at what the emergency detention process is and what the general crisis and community type functions are to see if the contract can be separated into two different parts, one being the EM1 part and the other being the general crisis piece.

Evans asked Family Services to explain the functions of the Crisis Center because it is his understanding that the Crisis Center is going above and beyond what is in the contract. Vande Leest said that over the years the load has evolved and a lot of value add type services have developed and it is difficult to prioritize sometimes where they get the most bang for the buck for the services they provide.

Evans informed that law enforcement has an issue when they bring someone to the Crisis Center because they have to sit around and wait which prevents them from being out on the streets patrolling and asked Vande Leest for his thoughts on this. Vande Leest responded that this is all part of the process and is not necessarily a Crisis

Center issue as much as it is the process of doing an initial screening and then if there is a need for further referral there is a need for medical clearance and all of this becomes part of the equation. Each of these steps take time. From Vande Leest's perspective, where the system often gets bogged down is when someone goes through all of these steps and then there is no local capacity for placement and officers have to transport to Winnebago or Mendota. The EM1 process is long and involved and includes a lot of legal steps. Family Services is open to looking at whatever they can do to help streamline the process given the legal and statutory requirements.

Buckley asked if there would be a possibility of contracting with one of the local hospitals so the medical clearance and evaluation could be done right there. Pritzl said that is an option to look at during the RFP process. He feels some communities have probably gone in this direction and he also brought up the idea of using mobile crisis more effectively by getting them into the hospitals to alleviate the step of going back to the Crisis Center if the client is going to a facility. He feels there are efficiencies to gain in this respect and he will talk about this a little later. Pritzl also brought up the medical clearance issue and said that some progress is being made in that there is now a standard medical clearance. In the past, people would go through the process with the Crisis Center and be assessed and then they pick a facility which may have a different medical clearance standard than another facility. Now all of the facilities are agreeing that when a determination is made by the emergency department that it is a low risk situation, the people will be accepted without further testing. This is established and is being accepted now. The only wildcard in this is Winnebago because their medical clearance is so different. The County wants to avoid using Winnebago for that reason as well as the fact that it is out of Brown County.

Pritzl also talked about crisis staff access to the emergency rooms as this has been another contentious issue. He said he received the agreement back from Corporation Counsel and it is now in the hands of the HSHS system. Hopefully this will be finalized very soon so Crisis Center staff can get into the two HSHS hospitals.

Evans understands the problem in the system with all of the hoops and protocol but questioned what creating a new RFP would do to solve the problems. Buckley recalled that at the last meeting we talked about the time consuming process of having two officers tied up for an average of five hours per call which is costing a great deal of money for the law enforcement agencies every year. Some of the smaller agencies do not have the manpower on the road to sacrifice two officers sitting with a subject for a great deal of time. Buckley feels we need to take a look at what the contract with Family Services is right now and then look at how the procedures could be updated from when the contract started in the 1980s. There have been some updates with things like mobile crisis, but from a fiscal standpoint and a departmental staffing standpoint, we have to figure out a way to cut the officers' time on these calls. Buckley said law enforcements' job is to take care of the immediate threat and get the person to a facility to get the assistance they need. He said another thing to look at is for the County to use a transportation service to take the people where they need to be rather than tying up law enforcement time for hours upon hours. Another option may be a one stop shop type of model where someone could go to be evaluated, get medical clearance and then go to placement from there.

Zima said this subject has also been discussed at the Mental Health Ad Hoc Committee and he asked law enforcement in attendance to update this Committee on efforts being made.

Supervisor Nicholson arrived at 11:42 am.

GBPD Officer Barb Gerarden said EM1s in February went up. They had 42 EM1s, several of which were pretty complicated. Over 300 man hours and \$15,000 in officer time was spent in February although she noted this is a pretty conservative figure. Of the complicated calls, the least amount of time spent was five hours and the most amount of time was 32 hours. Buckley asked if those numbers include calls that did not result in detention. Gerarden responded that several of the people could have been safety planned at the hospital, but from the GBPD perspective, if they do the paperwork, they are deemed to be an EM1. Buckley asked Gerarden what they would like to see addressed from a law enforcement perspective. She responded that the one stop shop model being proposed makes perfect sense to reduce officer time and, more importantly, to get a patient to the help

they need quicker with less in custody time. Some of the cases in February resulted in use of force as a result of the patient being in custody so long. She feels anything that can be done to mainstream is better and good.

Gerarden continued that they are hopeful that the medical protocol Pritzl talked about earlier will reduce medical clearance time, but there is some concern that they will still require too many people to get cleared based on the language in the agreement. They will be working on tweaking that and expressing their concerns. Still a problem is that crisis staff is not allowed into all of the hospitals, so she is hopeful that once that is finalized it will help. Gerarden also noted there were a lot of overdoses in February. The other thing she mentioned is that the hospitals are supposed to call Crisis to mobile them out to have the assessment done but they are not doing that; they are having officers come and transport the person to crisis and then they end up being safety planned and law enforcement was mostly used as a taxi. The hospitals say they need the bed, but it is felt that the hospitals know ahead of time when someone will be discharged. Law enforcement has to work with the partners at the hospitals on this. Zima feels if the front line staff is not aware of the protocol, the managers need to do a better job. Gerarden said there are a lot of system issues because of how complicated the entire process is and they will continue to work through it. She noted again that they did have significant issues in February.

GBPD Captain Todd Le Pine also addressed the Committee. He said he was at this meeting last month and talked about three separate things that hold up law enforcement when it comes to EM1s. The first is capacity, the second is lack of voluntary options and the third is chronic offenders. They are trying to address the chronic offenders with the mental health officers and are trying to work with Crisis to deal with the people they deal with regularly. He said law enforcement deals with some of these people every single day, and if they are not dealing with them, it is because the person is in custody somewhere. Le Pine feels there has to be a quicker way to get these people help. When officers deal with the same person every day, it is not good for the community, the person or the officer.

Le Pine also talked about the lack of voluntary options and noted that Willow Creek opened on January 12. The grand opening was attended by 20 GBPD officers, including five Captains and the Chief. On that day, Le Pine thought there was going to be a solution to the emergency medical process, but to this day, Willow Creek has not accepted one emergency medical patient. He does not know what the holdup is, but it has been 49 days. In that period of time the GBPD has done 82 emergency detentions. Multiple times in these situations people have tried voluntary options but those options are not available. He spoke of a call recently that took 12 ½ hours of officer time for a subject who went to Willow Creek for help. During the assessment period the person wanted to leave but the people at the hospital did not want them to leave because they were a danger to themselves so the police were called. The police came and took the person to a different hospital for medical clearance and then ended up in a Brown County facility. In another call, someone presented to Willow Creek for voluntary treatment and since they do not accept EM1s the police were called and use of force was necessary. That call used five officer hours.

Le Pine continued that when Willow Creek opened GBPD thought they would not have to transport people to Winnebago anymore. Taking someone to Winnebago creates a nightmare scenario for officers due to the amount of time it takes, not to mention how the patient stays in the back of a police car for hours which is not helpful. Le Pine talked about another scenario where 32 hours of officer time was used. Some of the time was investigatory, but the majority of it was the police guarding the individual at the hospital and then transporting him to Winnebago. The person was transported back from Winnebago the next day by the County's transport service and taken to the jail.

Le Pine spoke next about the capacity issue and said that it has not been addressed at all. He does not know what the holdup is and feels that something needs to be done as soon as possible to get Willow Creek to start taking EM1s. Law enforcement is doing the best they can and the EM1s are not going to go away. There are a lot of people in the community struggling and when they get called to a situation, they are going to err on the side of caution. There are two officers assigned full time to mental health issues and they are trying to deal with the chronic people and be proactive in going out to people.

Zima asked Le Pine if he had any idea of the financial capacity of the people law enforcement deals with to pay for services. Le Pine does not know their financial capacity, but he knows what it costs the GBPD. Zima shared a story about someone who was taken to Willow Creek for help and during the admission process it was discovered that the person did not have insurance; the person was sent out the door within 15 minutes. Willow Creek is a big joke in Zima's opinion. He said when they came to town, they said they would take any mental health patients regardless of ability to pay. However, upon more questioning Zima found that Willow Creek will only take these people provided there is a bed allocated, but they only have a few beds allocated to pro bono cases. Zima said he agreed with Buckley's one stop shop idea, but at the same time feels we have to talk about beefing up our own operation. He said there are people in the community that need longer treatment and this is something we need to address. The County is spending millions of dollars a year sending people to Trempealeau and Winnebago and that money could better spent serving these people right here in Brown County.

Buckley said he and Pritzl attended the last Human Services meeting and Buckley put in a communication to look at the RFP process and also to look at a long term solution for the County. Zima feels this is urgent and would like to see a solution to these problems in a year or year and a half. He said the Mental Health Task Force is made up of really strong people and important players, but the foot dragging comes in from the Human Services Department.

Pritzl spoke about the delay at Willow Creek and said the holdup is currently at the Human Services Department because they are continuing to work through details on the court process that follows the detention before the contract can be completed. Financial terms have been agreed on. Pritzl said they are working to ensure that a parallel process exists with Willow Creek and Bellin and this has taken a little more time than was expected. Zima feels Bellin is also a joke and reiterated that the County needs to have their own facility to help people. Pritzl said the Department does most of the pro bono for the public and that is their function. In looking at the total bed count in Brown County, there should not be a shortage of beds; there are more than enough psychiatric beds to meet the needs. Pritzl said that once the contract is finalized, he is hopeful that the capacity can be met. He said when the County has approached Willow Creek in a few situations they have not had capacity because they are still scaling up their operations. He said we also have to look at non-Brown County residents and recognize that the County systems are going to be stressed by Willow Creek because they are going to draw in people from other areas voluntarily seeking services, but then the person can decide they do not want to do it after all and law enforcement then becomes involved. Once the procedures for court are in place, the contract will be completed. Pritzl does not want to use Winnebago unless there are medical necessities that the County cannot address.

Zima reiterated we need to beef up our own operations and feels that sending people to other facilities is undermining our own operations. He fears that if everyone is taken to other facilities, the County Executive will look to close the hospital. He also feels we can bill out to other Counties and he will bring this up again at the Mental Health Ad Hoc Committee. He wants to do something within our own County rather than dealing with all of the outside operators who are only interested in the bottom line. The main interest of the County needs to be solving the problems in the most efficient way possible. He wants to move in the direction of the County moving back to at least the number of beds we had in the past. He feels the one stop shop model could be right out at the mental health center if there was more capacity.

Gerarden spoke about a recent case where the client ended up being transferred to Winnebago and said that the person would have been much better served here where he had community support. Not only is taking someone to Winnebago a matter of law enforcement time, it is also a matter of what is best for the patient and being transferred there is often not what is best for them. She also talked about voluntary placements and noted that sometimes people start out as voluntary but then change their mind and then those proceed on to EM1 cases. Lastly, Gerarden said that the GBPD would be willing to do the transport for those EM1 cases that end up going to Court. The GBPD is willing to do what they can to expedite the process and be a bridge in the short term.

Vande Leest added that in addition to talking about long term solutions to a very serious problem in the community, the more immediate short term solution is a much stronger use of mobile crisis options. He feels if

they can get out into the community more some of the cases could be diverted. Vande Leest feels it is incumbent upon Family Services to keep marketing that service and keep working with the hospitals and law enforcement to increase the mobile opportunities. He said that only about 20% of face-to-face contacts are currently done by mobile crisis.

Buckley asked if the communication gets referred back to staff, if there is a way to facilitate conversations with law enforcement to get their issues out in meetings and have a report back at the next meeting. He feels this Committee is talking about long term and short term issues and he would like to focus on a few of the things and come back with an update. Pritzl said based on the communication, where his Department would start is looking at the contract and if there are separation of the pieces and RFPs. He said that the current EM1 Committee has about 30 members and he feels that a subgroup could be pulled together to look at the key elements of crisis services. Le Pine said that what is really needed is help with the capacity issue. The frustrations of Zima are the same as the officers feel. Le Pine said it is not like these situations only come up once or twice a year; they are happening more and more frequently.

Evans said Bellin has been a strong partner to the County for many years and they go out of their way to ensure that they work hand in hand with the County. He said there seems to be issues with processing EM1s and then with the capacity. He feels the capacity is always lumped into the problem of EM1 placements and said it will be interesting to see what Willow Creek provides. Evans also said he talked to Willow Creek in a Human Services meeting in the past and he had great trepidation as they portrayed to be a great community partner but they are a for profit organization and he does not think they are going to be the solution. Evans recalled when he was involved with building the nursing home and how upset the nursing homes were because they felt that it would take away their clients. Then they defined how the nursing home would be utilized and the problem was solved. The point Zima seems to be making is if we want to solve this problem, the County has to take the leadership. This could easily be done by having a one stop shop and adding on to the CTC. The problem is that the County would have to spend money on this and this is where politics becomes involved. Zima said that expanding the CTC would allow the County to take clients from other counties to earn some of the money back. Evans continued that if the EM1 Committee is really serious about solving these issues, they should come out with a statement to the County that doing something out at the CTC would help solve the problem. Evans does not have a problem spending money for the benefit of the people of Brown County.

Buckley asked for a motion to refer to staff to follow up on the processes and procedures and start the RFP process. Evans said he would rather see a plan developed and then make a determination of what we need in an RFP. He does not want to see an RFP go out because some of the people that would be involved in the RFP practice are being influenced.

Buckley said this is being done simultaneously already by breaking out the contract with Family Services to figure out what is needed to develop an RFP. Evans asked if the contract with Family Services is wrong. He said we have a contract that is in place until the end of 2017 and we are not dissolving that contract. He continued that a plan can be developed moving forward, but putting RFP in front of items makes him nervous, especially when there is only one provider. Evans would rather see a conglomerate of organizations and he would rather have a plan instead of starting the RFP process. Evans asked Vande Leest what was wrong with the contract. Vande Leest said he did not necessarily think there was anything wrong with the contract, but said it is not specific in terms of where the focus should be. What they are trying to figure out is where to get the biggest bang for the buck; especially around this particular issue.

Pritzl said in the past year when they had discussions with the Crisis Center they have found that they exist for this one particular function which is really important but then they also address all the other things and there is not a lot of focus and they are being pulled in a lot of different directions. Buckley said there may be a different model to look at. Evans appreciated Buckley bringing this forward but said he will not support anything that says we are going to the RFP process. He would support a motion to determine a plan for EM1 and alcohol procedures. He said if we develop a plan and then determine we have to go out for RFP, that is a whole other discussion. Pritzl noted the EM1 process is already established and developed. Zima said the Committee needs

to consider if they want to contract for everything or if it is important enough to control your own staff and know what you have and what you can depend on. He is not knocking the contract services, but he is talking about having our own place that is a one stop shop. He does not like constantly having to depend on the rules of other facilities.

Pritzl said he is hearing the feasibility of having crisis services located at the CTC. Zima would also like to see someone available to give medical clearance, but Pritzl said they will not have a physician on staff 24 hours a day to do medical clearance; they are not a medical facility to handle acute medical needs. Zima said that medical clearance is just a formality and mostly a waste of time. Pritzl feels what the Committee is describing is co-locating inpatient services with crisis services in one place and then if someone is low risk medical clearance they will come through the door. If they are moderate, they may need medical attention. Pritzl said there would also need to be conversations about creating space and separating the space from the inpatient unit. Buckley said that if there were an addition to the CTC, it is more of a time involved process and he wants to see some short term goals along with the longer term goals. Part of the reason he wants to look at the RFP process is because we need to look at the scope of what Family Services does. If we are looking for more of a one stop shop, it needs to be built into the procedures and the processes going forward. If the County is going to look at doing this ourselves or contracting with someone to provide those services, we need to look at an RFP. Evans said the RFP would come after a plan is developed.

Supervisor Clancy asked that when Human Services considers this, that they consider the most practical solution for the whole process. It does not need to be grandiose, but he would like to see the most practical solution to get the job done.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to put on hold and refer to Human Services, Mental Health Ad Hoc Task Force and EM1 Committee and come back when ready with a recommendation. Vote taken. Ayes: Zima, Nicholson, Evans, Clancy Nay: Zima MOTION CARRIED 4 TO 1

OWI Treatment Court

4. Update on the Consideration of Implementing an OWI Treatment Court.

Judge Zuidmulder passed out information, a copy of which is attached. He said the committee has had good meetings and they are focusing on the fourth offenses. He said that one of the things that jumps out is the BAC levels of the repeat offenders. The handout shows the BAC levels for people arrested on fourth offenses and in 2016 46% of all people arrested on a fourth offense had a BAC in excess of .20. In 2015, 53% of all people arrested for fourth offense OWI were above .20. Judge Zuidmulder said there is a population in the community that clearly has alcohol abuse problems and these are the people that are getting fourth, fifth, sixth and seventh offenses. The fourth offense is a felony and includes a prison sentence. Since records are available for the first, second and third offenses they can look to see if there is a pattern. If the BAC in the previous offenses are .15 - .22, there is a high degree of probability that the person is an alcoholic and it appears that even if they are locked up, they will come back into the community and this will happen again which is a dramatic public safety issue.

Judge Zuidmulder continued that an OWI Court would be designed to focus on taking the fourth offenders and then order absolute sobriety. They would be on the SCRAM unit and support such as AA meetings would be ordered to try to create a setting to emphasize that the alcohol issue is life long and needs to be addressed in a positive way. They also do not want to militate against the jail sentence to reward the people for a .20. Judge Zuidmulder wanted to share this information with the Committee and let them know that the group is diligently working on this and it is anticipated that they will have a proposal in the future. Evans thinks this is great work and he wants to do whatever is possible to mitigate the problems, but asked if it would make more sense to have the OWI Court target third offenses to prevent them from getting to a fourth offense. He feels that once someone is at the fourth offense, it is a felony and there would be jail or prison time, whereas if they get to a third offense it may be an easier opportunity to change someone's life before they get to the fourth. Judge Zuidmulder explained that the fourth offense is a felony so the probation is longer. The other thing they are looking at is that there is a drop out level after each offense and part of what they are looking at is the natural

punitive system in place that the society buys into that does in fact get a certain percentage of people to stop. The numbers between the fourths, fifths and sixths are much more stable. There is a high probability that if someone gets to a fourth offense, they will go on to additional offenses because the current punitive system designed to get people to stop has not worked for them. In terms of looking at the resources and how to get the best bang for the buck, Judge Zuidmulder feels the number they are looking at is best. The Judge would also have the discretion to put someone other than a fourth time offender into the OWI Court, but the criterion would probably be a pattern of .20 or above. He noted that many of these people do pretty good in other areas of their lives, hold down jobs, etc., but just cannot get a handle on the alcohol.

Zima asked what is needed to get an OWI Court in place. Judge Zuidmulder said they would like to start out by taking 20 – 25 people and they would need SCRAM units, electronic monitoring, and would also have to look at an additional case manager to keep track of these people and make sure they are going to the programs and behaving themselves. When all of these costs are figured out, the committee will come back and explain everything and let them know how much they feel it would cost. He feels that if an OWI court is implemented, there would be participants to fill it in the first six months. Clancy asked if the model would include avoiding going to prison if they abide by the terms of the OWI Court. Judge Zuidmulder responded that it is likely that he would impose a sentence similar to what people get that are not in the OWI court, but stay the sentence, but order some conditional jail time so that there is a punishment component. There would also have to be firm lines on what the consequences would be for breaking the OWI Court rules. The main issue is public safety and it is absolutely not going to be designed to allow anyone with these issues to create a public safety issue. In fairness to the Public Safety Committee, the public and the participants, there need to be very clear lines so everyone knows exactly what the expectations are.

Evans appreciated the Judge's report and asked that the next time the OWI Court committee meets, that they take a hard look at making the Court available to third time offenders. Evans is in support of an OWI Court, but feels that preventative measures are better than reactive measures.

**Motion made by Supervisor Clancy, seconded by Supervisor Evans to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

At this time the Committee returned to the discussion on Item 3.

2016 to 2017 Carryover Funds

5. Circuit Courts, Commissioners, Probate.

Motion made by Supervisor Nicholson, seconded by Supervisor Evans to take Items 5, 6 & 7 together. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Nicholson, seconded by Supervisor Evans to approve Items 5, 6 & 7. Vote taken. MOTION CARRIED UNANIMOUSLY

6. Emergency Management.

See action at Item 5 above.

7. Public Safety Communications.

See action at Item 5 above.

District Attorney

8. 2016 to 2017 Carryover Funds.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

9. **Budget carryover requests. *Held for one month.***

Motion made by Supervisor Evans, seconded by Supervisor Zima to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Medical Examiner

10. **Update on Brown, Door and Oconto Partnership.**

Medical Examiner Director of Operations Barry Irmien informed that the agreements with Door and Oconto counties have been finalized and they intend to start the new scheduling on March 14.

Motion made by Supervisor Clancy, seconded by Supervisor Nicholson to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

11. **2017 Medical Examiner Activity.**

Evans asked if Irmien had been contacted by WBAY regarding a story they are working on. Irmien responded that he has not been contacted personally, but he thought administration may have received a call. Evans suggested that Irmien may want to reach out to WBAY but Irmien responded that typically in counties where they have partnerships he prefers to keep a low profile as he does not want to speak for any of the partners they work with or the County or the County Board. Buckley agreed that depending on the angle of the story we want to be careful because of the situation they were brought into. Irmien assured that he talks to the media whenever they call regarding a case he is working on and he gives press releases when appropriate, but in this situation he feels it may go around the corner to what was here in 2015 and earlier and he would rather not get into that.

Motion made by Supervisor Clancy, seconded by Supervisor Nicholson to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Sheriff

12. **2016 to 2017 Carryover Funds.**

Sheriff Gossage pointed out that the carryover document distributed in the agenda packet is not portrayed correctly. He said his Department submitted carryover funds of \$60,396 which included \$59,400 for the in squad cameras and said they purchased half the cameras in 2016 and half in 2017. The dollar amount shown on the document is \$60,396 which was approved by the County Executive, however, the County Executive came back to the Sheriff's Department on February 22, 2017 and told Chief Deputy Todd Delain that because the Department was only \$52,164.26 in the black, that they were not able to carryover \$60,000 to cover the cost of the cameras that were ordered. Gossage told the County Executive he had been a good steward to the County for five years and has returned \$1.7 million dollars to the general fund and the County Executive now says he is going to take \$8,000 out of the 2017 budget. Gossage pointed out that the County Board sets the budget and he does not feel it is appropriate to be sanctioned and for the County Executive to take \$8,000 out of the budget and further, it is not allocated in the document that was distributed to the Committee. The report was signed by the County Executive on February 17 and this was brought to Gossage's attention on February 22. Gossage said that in full transparency, it is really \$52,164.26 and he reiterated that in the last five years he has given \$1.7 million dollars back to the general fund and he feels that there were other departments that were in the black that could have covered these costs, as he did with the funds he returned to the general fund over the last five years.

Gossage continued that he is willing and able to invoice departments that owe money that he does not charge out for things like civil process fees. He also did not charge back the County for active shooter training taught by his officers in the amount of \$18,588. He is upset about this situation, especially since he is a good steward to the taxpayers and prudently budgets accurately and correctly and now is being called on the carpet for \$8,000 that he looks at as being a sanction for cameras that have already been ordered for the squad cars. He finds this incredulous.

Weininger said that no one is trying to make the Sheriff upset, but the rules for carryover requests is that at the end of the year the money has to be in the budget to carryover and this was the most that could be allowed to be carried forward. In addition, they actually went beyond that because there is a casual payout and administration included those extra dollars to cover it. The casual payout the Department is receiving is \$199,000 from that fund and the amount which would have originally been available was about \$147,000. Administration knew it was a needed expense and had to be done, but according to policy the most that can be carried over is the amount that is available. If there was a different way to do it, it would have been done differently, but moving forward they are roughly \$9,000 short. The options would be a resolution for general fund usage of \$9,000 or find the necessary funds by finding savings in the Sheriff's \$38 million dollar budget. A third option which would be a little trickier would be to take the money from the other departments that have carryovers and ask for a budget adjustment. Buckley asked if there is money available from another department and Weininger responded that they are still working on year end and that is why these are all estimates.

Gossage presented bills to Weininger for charge backs to administration. Gossage said he is transparent and the bills he presented to Weininger were for civil process of papers for Child Support and Corporation Counsel. He said that they do not charge those back to the County. Gossage continued that when the County Executive takes money out of his budget he always says not to worry because it's all one big pot of money. Gossage responded that if this is all one big pot of money, his \$9,000 should come out of the pot. He is sure that his \$1.7 million dollars that has been given to the general fund has been used to offset shortages in other departments in the past. He continued that the County Executive wants to run this like a business and Gossage will treat it like a business by sending invoices out to the departments since the books are not closed yet and anyone in the black can pay the bills.

Weininger said the money that is turned over at the end of the year goes to the general fund. The general fund is not typically used to offset operation costs. Weininger also said that there are no other options for the carryover requests. The amount of money in the budget is what can be carried over. Zima asked the Sheriff if he would have enough money if he charged back the other departments. Gossage said that the chargebacks he currently has amount to \$18,000. Gossage noted that he gets chargebacks from the other departments but Weininger said that those are set up as cost units. Gossage said that his department does not create revenue in the Sheriff's Department, but Weininger countered that the jail does raise revenue.

Weininger continued that the easiest way to do this would be to do a transfer between departments or do a general fund request. These are the two options to get the additional dollars. Gossage wanted it on record that this is why government fails. He is a good steward to the taxpayers and returned \$1.7 million to the general fund. Now he is \$52,000 to the good and he wants to carryover money that is already encumbered and he is sanctioned. He asked what incentive there is for department heads to meet their budgets. Zima said that the Sheriff is being too modest and noted that before he took over there were large shortfalls in the Sheriff's Department.

Weininger said that in 2016 there was an additional \$616,000 of levy added to the Sheriff's Department and in 2017 there was an additional \$890,000 added. With regard to the casual payout, the County Executive told Gossage his Chief Deputy agreed to it but that was another dishonest statement. The Chief Deputy was told this is what was going to happen and it came as a shock to the Sheriff because he had not been made aware of it. Gossage explained the department gets expensed for the casualty day payout and the funds are kept in the HR coffers, but it should be given back to each department. Weininger said the money is not in HR anymore. There are x amount of dollars set aside and if a department runs under budget and does not have enough money to cover the casual payout, the money is transferred to the department to cover the casual payout shortfall. Delain said the Sheriff's Department pays the bill for the casual payout and the money is put in an account. If the Department ends up in the black the money remains in the fund wherever it is and then it is used somewhere else.

Weininger said the issue is this: the Sheriff has an expense that he needs for his squad cars. They wanted to carry it out in 2016 but there was not enough time to do it in 2016 so they will have to do it in 2017. Usually the

Sheriff finishes the year to the good, but this year they did not finish to the good. Per policy, departments are only allowed to carry over the funds that they actually have so the Sheriff ends up short in the money he can carry over.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to approve the carryover of the available funds and take remainder from the general fund. *Motion withdrawn; no vote taken.*

Weininger looked for ways to get around this, but there is no way. The purchase order for the cameras is a total purchase order for \$137,000 and it is for 2017, not 2016. There is not a possible journal entry for this. Gossage said that County policy will not allow the County to receive the product without paying for it. He budgeted for half the cameras in 2016 and half in 2017.

Weininger's recommendation would be a general fund resolution. He said that to use fund balance, a resolution is needed which would go through this Committee, Administration Committee and then on to the County Board. Gossage said he can try to find the savings in 2017, but he did not like the way he was told about this at the eleventh hour and then having a document submitted for the carryover which was inaccurate. Weininger said the 2016 books are not closed yet so the final numbers will not be known until the over/under report is done. Gossage asked how Weininger came up the number of \$8,000 if the books are not closed yet; he could have more revenue coming in.

Evans asked about the \$996 for the Citizens Academy. Gossage said that that amount is correct and the \$59,000 is also correct, but the accurate number he has left according to administration is \$52,164 so he would have to come up with the additional \$8,300 in 2017. The carryover request really is for the \$52,164.

Motion made by Supervisor Evans, seconded by Supervisor Nicholson to approve the carryover for the Citizens Academy supplies funded by donations in the amount of \$996. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Evans, seconded by Supervisor Nicholson to approve the carryover for in squad video systems in the amount of \$52,164. Vote taken. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Evans, seconded by Supervisor Nicholson to approve \$8,500 for in squad video systems to be taken out of the general fund. *No vote taken*

Motion made by Supervisor Zima, seconded by Supervisor Evans to refer this to administration to fund the remainder of up to \$8,500 to pay for the in squad cameras. Vote taken. MOTION CARRIED UNANIMOUSLY

13. Budget Adjustment Request (17-08): Any increase in expenses with an offsetting increase in revenue.

This 2017 budget request is to increase federal grant revenue and related grant expenses to participate in a Homeland Security ALERT training grant that provides funding to attend the National Tactical Officers Association conference in September, 2017. The fiscal impact is an increase in revenue and offsetting expense of \$2000.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

14. Budget Adjustment Request (17-11): Any allocation from a department's fund balance.

This request is to increase federal asset forfeiture expenses to purchase items not originally included in the adopted 2017 budget utilizing the asset forfeiture fund balance carried over into 2017. These expenses have been approved by the Drug Task Force Oversight Board which has discretion over the expenses from the fund. Expenses consist of two DTF K-9 dogs and related training for \$25,000 and in-squad cameras for two DTF vehicles for \$11,966. No tax levy money is involved in this adjustment. The fiscal impact is \$36,966 non-levy dollars (utilize asset forfeiture fund balance).

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

- 15. Resolution in Support of Legislation to Classify County Jailers as Protective Occupation Participants (POPs) for WRS Purposes. *Held for one month.***

Motion made by Supervisor Evans, seconded by Supervisor Clancy to hold for one month. Vote taken. MOTION CARRIED UNANIMOUSLY

- 16. Sheriff's Report.**

Gossage reported that he will be taking part in the CP Telethon this weekend.

Motion made by Supervisor Evans, seconded by Supervisor Clancy to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Clerk of Courts – No agenda items.

Other

- 17. Audit of bills.**

Motion made by Supervisor Evans, seconded by Supervisor Clancy to pay the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

- 18. Such other matters as authorized by law. None.**

- 19. Adjourn.**

Motion made by Supervisor Nicholson, seconded by Supervisor Evans to adjourn at 1:06 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Recording Secretary

Mr. Buckley,

I am following up on your request for the overall cost in dollars for our officers handling emergency mental health commitments in 2016. Our records management system is not capable of accurately recording the exact minutes our officers spend on these calls. It cannot account for the number of officers on the call, officers clearing from the call and writing up the incident. Our system requires the officers to clear from the call to open a report so start and end times are not accurate. Our estimates are based on the following factors:

- 1) Initial two officer response to all EM-1 calls unless the subject is already incapacitated or in the hospital
- 2) Officer/s transports subject to Crisis Center for assessment
- 3) Officer/s transports subject to hospital for medical clearance
- 4) Officer/s transports subject to psychiatric center for admittance
- 5) Officer/s time to write up all necessary paperwork
- 6) All of these situations can result in doubling the manpower necessary if the subject is violent or potentially violent throughout the contact

Based on the listed factors the total manpower average involving one or possibly more officers for an emergency mental health commitment is 5 hours. The Brown County Sheriff's Office handled 423 cases in 2016 that resulted in paperwork involving EM-1s. I used the current top patrolman wage for a deputy which is \$34.96 an hour and with fringe benefits included in this cost the final wage is approximately \$50.23 an hour.

423 cases X 5 hours per incident X \$50.23 officer wage =\$106,236

I believe my estimate is on the conservative side and the cost is probably much higher but the cad system and records system does not allow us to conduct an accurate search. For example, we had 1658 welfare checks last year and some of these were possibly mislabeled in the records management system or cad and crimes that occur are labeled with the criminal element first and the mental health issue second. We would have to go through each of the over 60,000 calls from 2016 to verify the true amount of time spent and that still would not include the time spent writing reports.

We appreciate your concern and allowing us to speak to the Public Safety Committee. If you have any questions feel free to contact me. Just an fyi- The Brown County Sheriff's Office has already dealt with approximately 80 emergency medical commitments from January 1st, 2017 thru March 1, 2017.

Minutes from Meeting on February 20, 2017

Consideration of Implementing an OWI Treatment Court

Present: Judge Zuidmulder, District Attorney Lasee, Capt. Knoebel, Lt. Mitchell, Attorney Enli, Attorney Reid, Attorney Cano, Mark Vandenhoogen, Adam Busalacchi, Michelle Timm.

1. Discussion:

- a. OWI data from District Attorney's Office distributed for 2015 and 2016 OWI-4th offenses:

2016, there were 27 OWI-4th offenses with a BAC at .20 or higher, 46% of the total cases.

2015, there were 35 OWI-4th offenses with a BAC at .20 or higher, 53% of the total cases.

- b. Discussion held as to the criteria to determine which individuals may be accepted into this treatment court.

Determination of the population for the OWI Treatment Court will include, but not limited to, 4th offense OWI offenses, blood alcohol level of .15 and above including review of their blood alcohol level for past offenses, Brown County resident.

Discussion held as to length of probation, conditional jail time, treatment needs, monitoring, length of time participating in Treatment Court and potential sanction/termination for violations.

Anticipated that there would be four phases and an average time a participant would be in Treatment Court would be approximately 18-24 months.

- c. Mark V. to continue working on preparing a budget to address the monetary needs for an OWI Treatment Court. Project a percentage of monies that could be reimbursed from the Treatment Court participants along with having a sliding fee scale.

Next meeting: Thursday, April 13, 2017, at Noon in Room 280, Branch 1 Jury Room.

DA Case #	BAC	Within One Year of Thlrd Offense Date
16BR000160	0.127	No
16BR000270	0.251	no
16br000344	0.13	no
16br000848	0.278	no
16br000997	0.088	no
16br001139	0.09	no
16br001279	0.243	No
16br001520	0.228	yes
16br001736	0.35	No
16br001819	0.242	No
16br002022	0.328	No
16br002058	0.163	No
16br002063	0.276	No
16br002434	0.214	No
16br002624	0.238	No
16br003170	0.303	No
16br003362	0.334	No
16br003489	0.142	No
16br003501	0.272	No
16br003586	0.208	yes
16br003654	0.162	No
16br003662	0.071	no
16br003844	0.17	no
16BR003899	0.197	yes
16br004181	0.237	No
16br004198	0.126	No
16br004307	0.202	No
16br004332	0.151	No
16br004660	0.241	yes
16br004686	0.17	No
16br005020	0.112	No
16br005200	0.062	no
16br005648	0.19	No
16br005650	0.197	no
16br005663	0.109	no
16br005810	0.18	No
16br006122	0.076	no
16br006287	0.264	No
16br006415	0.18	No
16br006720	0.186	no
16br006878	0.162	No
16br006881	0.207	No
16br006909	0.087	No
16br006956	0.206	No
16br006961	0.127	No
16br007001	0.236	No

16br007062	0.25	no
16br007104	0.157	No
16br007381	0.149	No
16br007792	0.226	No
16br007872	0.169	No
16br007889	0.285	No
16br008080	0.167	yes
16br008137	0.142	No
16br008230	0.176	no
16br008289	nothing detected	No
16br008482	0.248	No
16br008487	0.214	No
16br008532	0.206	no
2016 Total	27 Total	5 total
2016 Percentage	46%	8.40%
15BR000285	0.24	no
15BR000536	0.245	yes
15BR000567	0.199	No
15BR000681	0.22	No
15BR000682	0.032	No
15BR000689	0.239	No
15BR001110	0.209	No
15BR001122	0.193	yes
15BR001238	0.138	No
15BR001327	0.24	No
15BR001449	No Information	
15BR001474	0.153	no
15BR001475	nothing detected	No
15BR001683	0.252	No
15BR001704	0.225	No
15BR002131	0.263	No
15BR002238	0.218	No
15BR002424	0.202	No
15BR002970	0.212	No
15BR003188	0.139	No
15BR003312	0.216	No
15BR003381	Third Offense .306	
15BR003476	0.192	No
15BR003693	0.167	No
15BR003694	0.132	No
15BR003768	0.156	No
15BR003810	0.164	No
15BR003895	0.214	No
15BR004075	0.238	No
15BR004295	0.236	No
15BR004300	0.125	yes
15BR004343	0.247	No

15BR005003	nothing detected	No
15BR005047	0.338	No
15BR005136	0.208	yes
15BR005283	0.045	No
15BR005299	0.258	No
15BR005323	0.072	No
15BR005638	0.305	No
15BR005670	0.284	No
15BR005779	0.289	No
15BR005866	0.221	No
15BR005983	0.346	No
15BR006114	nothing detected	No
15BR006116	0.13	No
15BR006316	0.107	No
15BR006407	nothing detected	No
15BR006515	0.273	No
15BR006723	0.202	No
15BR006909	0.273	No
15BR007113	0.207	yes
15BR007236	0.178	No
15BR007366	0.214	No
15BR007455	0.176	No
15BR007469	0.113	No
15BR007479	0.098	No
15BR007644	0.186	No
15BR007968	0.091	No
15BR008189	nothing detected	No
15BR008385	0.112	No
15BR008588	0.232	No
15BR008619	0.225	No
15BR008772	0.138	No
15BR008804	0.223	No
15BR009053	0.221	No
15BR009100	0.281	No
2015 Total	35 Total	5 Total
2015 Percentage	53%	7.50%